

TOWN OF BOW MAR, COLORADO
BOARD OF TRUSTEES
MINUTES OF THE REGULAR MEETING ON JULY 18, 2011

CALL The regular meeting of the Board of Trustees of the Town of Bow Mar was called for Monday, July 18, 2011, Mayor Rick Pilgrim presiding. The meeting was held at No. 2 Middlefield Road, Columbine Valley, Colorado.

A quorum was declared present at 7:04 p.m.

PRESENT	Mayor	Rick Pilgrim
	Trustees	Merle McKittrick
		John Giese
		Gary Guilford
		Elizabeth Tulloch - absent
		Carrie McLaughlin
		Rick Wilkins
	Attorney	Hugh Gottschalk – absent due a work conflict
	Clerk/Treasurer	Karen Reutzel
	Police Chief	Bret Cottrell
	Public	Jack and Barbara Karford, Anne Justen, Jonathan Bush, Jim Vasbinder, Jeff Vogel, Robert Eckleberry

Mayor Pilgrim led the group in the Pledge of Allegiance. The June Minutes and Treasurer’s Report for the month of June were approved. Guilford/Giese/Unanimous (Tulloch absent).

Public Comment – Two residents, Jack and Barbara Karford, made a slide presentation about the roads issue focusing on the drainage on Wagon Trail. They expressed concern that the Town Engineer’s plan might require the installation of culverts along both sides of Wagon Trail and that a detention pond might be required at the east end of the street, which could impact their home. They stated that there are no drainage issues affecting the north side of the road on Wagon Trail because of the sharp slope of the land on the north side. To recreate the ditch along the south side would require extensive work. Commissioner Merle McKittrick explained that culverts would not be required on the north side because of the slope of the land. He explained it was currently unknown what sort of detention system would be required to slow drainage flow to the east. Mayor Rick Pilgrim explained that there may need to be a series of small detention ponds within the ditch right-of-way to slow down flow. He noted that with regard to existing problem areas throughout the Town, specific situations may need specific solutions so that the final plan works for everybody. Mayor Pilgrim stated that he is concerned about bringing in UDFCD as it could cause the Town to lose control over these issues.

Resident Anne Justen suggested having multiple options on the ballot with regard to the road issue. She thinks we need to leverage our investment in the roads as much as possible for added value and advocates gating the community. She would like to see this as an option on the ballot and would volunteer to get as much community input as possible if appropriate.

Jim Vashbinder, engineering consultant for the King Estate development, attorney and Trustee for the King Foundation Robert Eckleberry, and design consultant Jeff Vogel attended the meeting to give an overview about the King Estates project. Mr. Vashbinder said that the Town's Engineer, Vision Land Consultants has been very diligent and thorough in their review of the preliminary plat application. The King Estates team is now preparing the final construction drawings for utilities, roads, landscaping – the entire site civil package, except for the dry utilities (electric, gas). They are working with Platte Canyon Water & Sanitation District. Their intent is to submit the complete package to VLC by the end of day on Monday July 25th. Mr. Vogel will send the design standards as part of package and they will respond line-by-line to comments from the Town that have been made in the last two rounds of review. They are then hoping for a relatively quick conclusion to an arduous process from their side in light of the detail required for the preliminary plat application. Mayor Pilgrim confirmed that this would be the Preliminary Plat Application which would then require a public hearing, public comments and hopefully Preliminary Plat approval. Mr. Vashbinder stated that several specific responsibilities of the developer and of the Town would be included in the subdivision agreement that will also be required at that time.

Mr. Eckleberry stated that the King Foundation is appreciative of the support they have received from the Bow Mar community. Mayor Pilgrim said he was glad to hear that as he was concerned the King Estate's team was feeling that comments have been too detailed. Mr. Eckleberry said the process has made for a better project. Mayor Pilgrim commended Mr. Vashbinder and Mr. Vogel for their good work on the project.

Resident Jonathan Bush gave an update on the campaign seeking to amend the covenants to permit chicken hens. He reported that their effort is going very well and they have obtained about half of the necessary signatures. They expect to achieve that goal in early August. The group is assembling a schedule of fees for chicken permits from other municipalities to share with the Trustees. He further reported there will be a notary available at the Bush's home on July 20th and the Pratt's on July 25.

Commissioner Reports

Public Safety- Commissioner Gary Guilford and Police Chief Bret Cottrell reported that there were 77 tickets issued during the month of June including 27 in Bow Mar, 3 arrests and 28 calls for service. Staffing on the force is at 100%. He confirmed with the Board that they were in favor of the police escort that was provided for the children's bicycle parade on July 4. The Board agreed it was terrific. Tags on campers and trailers went out. Everyone not in compliance will get tickets tomorrow.

Finance- Commissioner John Giese reported on the Town's finances for the first 6 months of the year. He is now reporting the finance numbers by percentages instead of total numbers as they are more meaningful in that format. Total revenues are 69% of budgeted revenues because of the timing of property tax receipts. Total expenses are at 53% of budget. General government expenses are at 59% of budget and public safety is at 50%. The operating surplus is \$49,126, non-recurring income (building permits) totals \$44,632 for a total net surplus to date of \$93,758. The June financial statements were approved by the Board. Wilkins/Guilford/Unanimous.

Building- Commissioner Giese reported in Commissioner Elizabeth Tulloch's absence. Thirteen permits were issued with one remodel and several smaller projects.

Parks & Recreation- Commissioner Carrie McLaughlin reported a discussion she had with Pat Fitzgerald who called on behalf of the Bow Mar Water & Sanitation District regarding the re-grading and landscape restoration at the north end of Bow Mar Drive. Commissioner McLaughlin reported she discussed the District's need to get into that area – for emergency major repairs – not for monthly water reading. The water board does not think that adequate access is being provided to the area after the restoration. Commissioner Giese provided some background about the written agreement concerning the restoration project, as documented in a series of emails between the Town Attorney and the District. It was determined that Commissioner McLaughlin will continue to work with the District to develop an appropriate restoration of the landscape. Other Board members were asked to take a look at the area and provide further comment by email if appropriate.

Commissioner McLaughlin further reported that she had obtained a proposal for a new sign on Berry that would be a compatible (although much smaller) with the Sheridan and Bellevue entrance signs that were rebuilt last year. The total cost for the Berry sign would be \$5,500. She said the majority of the cost is in the proper installation of the post rather than the sign itself. She discussed obtaining donations from the two Garden Clubs (the Monday Garden Club has already committed funds) and possibly auctioning off the old one. The balance of the cost would come from the Parks & Recreation budget. She has no further capital improvement needs for the rest of the year. A Motion was made and approved to authorize Commissioner McLaughlin to spend the up to the balance of the parks & rec capital improvements budget (\$4,000) toward replacement of the sign. Giese/Guilford/Unanimous.

Public Works Commissioner Merle McKittrick reported that he has had several street signs repaired. A number of signs have been vandalized with paint. Mayor Pilgrim said there is an extra sign in one of the beach bathrooms. He discussed an unpermitted street cut that occurred. A permit application was sent to the subcontractor but hasn't been returned yet. McKittrick addressed a safety issue regarding the bus stop for Colorado Academy at the t-intersection at Sheridan and Bow Mar Drive and that he would be contacting Colorado Academy about the possibility of moving the bus stop for the upcoming school year.

Intergovernmental Commissioner Wilkins reported that he will be attending the DRCOG meeting later in the week.

Clerk Comments

Town Clerk Karen Reutzel reported that the next regular meeting is August 15, 2011. No Trustee is required to attend the BMOI meeting in July month because the two meetings overlap this month, but a representative is needed to attend the August BMOI meeting.

Attorney Comments

Town Attorney Hugh Gottschalk was absent due to a work conflict

Mayor's Report

Mayor Pilgrim introduced a resolution congratulating Mayor Michael Hancock on his election as Mayor of Denver. A Motion was made and approved to adopt the Resolution. Guilford/McKittick/Unanimous. Mayor Pilgrim will forward the Resolution to Mayor Hancock. Mayor Pilgrim has been asked to speak at the State of the City Luncheon in August. He is vice chair of the Metro Mayor's Caucus.

BMOI Report none – BMOI is meeting at the same date and time as the Town's meeting this month.

Old Business

King Property Development Update – Pilgrim.

The Board briefly discussed the public comments made by the King Estates team. Commissioner McKittick explained the combination of two lots into one so as to provide zero discharge to the Lake. Commissioner Wilkins asked what the timing of a preliminary plat application would be and how long an approval would last. Mayor Pilgrim reported that he and Town Attorney Gottschalk had spoken with representatives of a party interested in acquiring the property.

Discussion and Possible Action to Approve Proposed Republic Services Trash Collection Agreement –

Commissioner Wilkins went over the fine points of the proposed contract with Republic Services. A Motion to approve the contract with revisions suggested by Town Attorney Hugh Gottschalk, was passed.. McKittick/McLaughlin/Unanimous. The draft contract now needs to be forwarded to Republic Services for its approval.

Discussion and Possible Action Regarding Long Range Road Plan - McKittick

The Board discussed the outcome of the Public Meeting held on July 6 at St. James Church. Approximately 60 residents attended. Commissioner McKittrick passed out a summary of the road survey results – he received 84 surveys back. He reported he thought the Town meeting was a success and summarized some of the survey results: 80% of residents think the roads are important, 50% think the condition of roads is not acceptable, 63% do not think patching and crack sealing is sufficient. Most also agree that drainage is important. The survey indicates that there is interest among some residents to buying bonds. Some homeowners owning higher value homes commented they think it is unfair to have assessments based on property value and questioned whether there were other ways to structure the financing to make it more evenly distributed.

Alternative means of assessment were discussed including a flat assessment or an assessment based on street frontage. It was further discussed that the time is currently favorable for financing with low interest rates that will rise in the future. Oil and asphalt prices are also expected to rise.

Other comments concerned the timing of a bond issue. The Board discussed future revenue forecasts in general. Commissioners Giese and Wilkins will contact the County Assessors to understand how property taxes may change in the future. It was noted that people need to understand what a bond issue is going to cost them. Some people don't feel that subject was adequately communicated at the Town meeting. The Trustees agreed to develop more information.

The Board discussed the pros and cons of putting a bond issue on the Ballot in November or waiting until the April 2012 Municipal election or even later. It was noted that the Board would have to work quickly to be ready for a November 2011 ballot. The advantage of a November election is that it is best to bid road projects in the following January for best pricing.

Resident Anne Justen commented that it will be a substantial undertaking to get public opinion informed to be able to have a positive outcome in a November election. She liked the idea of an assessment that is equal because everyone uses the roads. Jack Karford commented that the Jefferson County voters voted down the bond proposal the last time and questioned how to prevent that from occurring again. He thought the engineer's solutions were more than needed and stated concerns about a bond issue in the current economy. Commissioner Wilkins commented that the Town is between a rock and a hard place – when the economy improves, the interest rates will go up and oil/asphalt prices go up. Commissioner McKittrick explained why chip sealing is not viable in Bow Mar primarily because the underlying road structure in many places has deteriorated to the point of failure because of water infiltration from poor drainage. Placing a chip seal over the failed road structure would be a waste of money. A chip seal surface is also poor for walking and bike and golf cart riding. Commissioner McKittrick expressed concern that he is not sure the Town has all protections put in place to protect the new roads if we go forward (such as damage from scrapeoffs, unauthorized road cuts, people building berms and altering drainage, etc.).

Election deadlines were discussed – The Town has to notify both Arapahoe and Jefferson counties by July 22 of its intent to have a bond issue on the ballot in the November election. A Motion was made asking Town Clerk Reutzel to notify the Secretary of State and Arapahoe and Jefferson counties of the Town's intention to participate in the November election and to retain Kutak Rock as bond counsel and ask them to begin preparing the ballot question. (Kutak Rock was bond counsel for the Town for the 2009 proposed bond issue and does not charge fees to the Town for their work unless a ballot issue passes). McKittrick/Guilford. An amendment to the Motion was proposed to indicate that the Board is going forward with the notification to the counties just to preserve the Town's option to participate in the November election while continuing to investigate the engineering and financing options, and that this is a final decision to go forward. Giese/amendment accepted by McKittrick. The Motion passed as amended by unanimous vote. A final decision will need to be made by September 2.

The Board agreed to call a special meeting/study session on July 28 at 7 pm at the Columbine Valley Town Hall to examine various financing options for the road project with the assistance of Steve Clark, who has agreed to advise the Board on municipal finance issues on a volunteer basis.

Trustee Updates Regarding August 2010 Workshop Items -

Roads – Commissioner McKittrick reported that this project is well under way.

Communication – Commissioner Wilkins reported he will look at options for updating the Town's website with SIPA once the trash collection contract is finalized.

Enforcement – Commissioner Guilford reported that the Town needs to work on this area – if the covenants are amended and an ordinance passed to permit chickens, that issue will require enforcement.

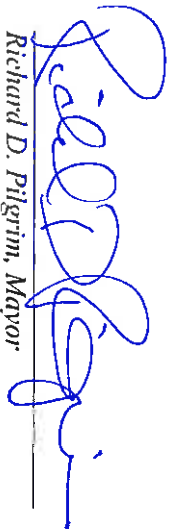
Re-codification of the Ordinances – Commissioner Tulloch has begun looking at what would be required to re-codify the Town's ordinances. a process that has not been done for a number of years. Town Clerk Reutzel will work on obtaining a cost for such a project to be included in the 2012 budget.

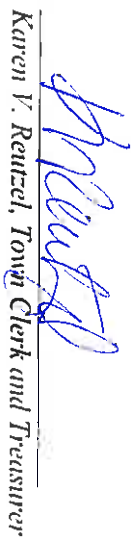
New Business

The Board discussed some options for a retirement celebration for former Town Clerk Pat Hoffman who officially retired at the end of June after 23 years of service to the Town.

Commissioner Giese reported he will be sending out budget worksheets for 2012 before the end of the month.

Adjournment There being no further business the meeting was adjourned at 9:58 p.m. Giese/McLaughlin//Unanimous. The next Regular Meeting is scheduled for August 15, 2011 at No. 2 Middlefield Road, Columbine Valley, CO. The meeting will begin at 7:00 p.m.


Richard D. Pilgrim, Mayor


Karen V. Reitzel, Town Clerk and Treasurer